



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 4, 1993

Mr. Leonard W. Peck, Jr.  
Assistant General Counsel  
Texas Department of Criminal Justice  
Institutional Division  
P.O. Box 99  
Huntsville, Texas 77342-0099

OR93-280

Dear Mr. Peck:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 19257.

The Texas Department of Criminal Justice (the "department") Institutional Division has received a request from an inmate assigned to the division's McConnell Unit for "the blueprints for all the plumbing, drainage and sewer system for the McConnell Unit" and "the index for all records relating to the construction of the McConnell Unit." You advise us that the requested index has been or will be made available to the requestor. You object, however, to release of the remaining information and claim that it is excepted from required public disclosure by section 3(a)(8) of the Open Records Act.

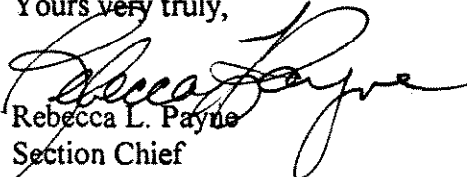
Section 3(a)(8) excepts:

records of law enforcement agencies and prosecutors that deal with the detection, investigation, and prosecution of crime and the internal records and notations of such law enforcement agencies and prosecutors which are maintained for internal use in matters relating to law enforcement and prosecution.

When the "law enforcement" exception is claimed as a basis for excluding information from public view, the agency claiming it must reasonably explain, if the information does not supply the explanation on its face, how and why release would unduly interfere with law enforcement. Open Records Decision No. 434 (1986), citing *Ex parte Pruitt*, 551 S.W.2d 706 (Tex. 1977); see also Open Records Decision No. 413 (1984) (Department of Corrections is a "law enforcement" agency within the meaning of section 3(a)(8)). You assert that release of this information would undermine prison security. We agree.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact our office.

Yours very truly,



Rebecca L. Payne  
Section Chief  
Open Government Section

RLP/GCK/le

Ref.: ID# 19257

cc: Mr. Eddie R. Jeffery  
TDCJ #37862  
McConnell Unit  
Beeville, Texas 78102